



Melrose
Social Host
Liability
Ordinance

Melrose **Social Host** Liability Ordinance

Social Host Liability Ordinance in the City of Melrose

The Melrose Substance Abuse Prevention Coalition is pleased to inform you that the City has passed a local Social Host Liability Ordinance. The official title is "Prohibition against consumption of alcoholic beverages by minors on private property" and it is part of Chapter 177.

This is very good news for the citizens of Melrose. Social Host Liability laws, as well as other alcohol, tobacco and drug ordinances in cities and states across the nation, have resulted in promoting positive change within the social environment and a decrease in substance abuse.

We have developed the following brochure to give you information about the ordinance, how it affects you, and how it will change our community for the better.

A catalyst for **HOPE**...
Health, Outreach, Prevention, and Education



**MELROSE SUBSTANCE ABUSE
PREVENTION COALITION**
City of Melrose Health Department
562 Main Street, Melrose, MA 02176



Melrose Substance Abuse Prevention Coalition
Working Together to Keep Our Community Safe



Melrose Social Host Liability Ordinance

Keeping Our Community Safe

What Does the Melrose Social Host Liability Ordinance Say and What Will it Do?

The ordinance states, "Any person who owns, rents, or otherwise controls any premises shall be responsible when a social gathering takes place at said residence where any alcoholic beverage or drug is being unlawfully possessed, served to or consumed by persons under the age of twenty-one (21) at these gatherings at said premises."

In other words, the ordinance holds the person who is responsible for the property accountable for underage drinking and/or drug use on their property.

This local law 1) **sends a clear message** to Melrose adults that underage drinking parties, and the numerous consequences associated with these parties, are not acceptable and 2) **gives our Police Department one of the tools they need** to hold private homeowners who are providing alcohol to underage kids civilly responsible for doing so.

Are There Exceptions?

Yes. The three exceptions are:

- the possession or consumption of a drug for which the individual has a current, valid prescription or is otherwise permitted by any other applicable law;
- the use of alcoholic beverages, which occurs between a person under the age of 21 and his/her parent or legal guardian; and
- the practice of religious observances.

What Penalties Will Violators Be Subject To?

A first violation will result in a warning from the Chief of the Melrose Police Department. A second violation within a 12-month period results in a \$150 fine. A third or subsequent violation results in a \$300 fine.

Why Does Melrose Need a Social Host Liability Ordinance?

It is a proactive step to preserve the tranquility of our neighborhoods and keep our community members safe. It will not negatively affect the vast majority of Melrose residents who are law-abiding and respectful of their neighbors. It is worded carefully to target chronic offenders whose guests' behavior disturbs their neighbors, damages property and/or jeopardizes their own or others' safety.

How Is This Different From the State Social Host Liability Law?

The **local** law holds private homeowners, who allow underage drinking on their property *civilly* responsible for doing so. Under the **state** law, property owners may be prosecuted *criminally* and/or sued *civilly*. The state's penalty is a fine of up to \$2,000, imprisonment for up to a year, or both. In addition, if an underage drinker leaves a property and is subsequently hurt or killed, the property owner may be *criminally* prosecuted and/or *civilly* tried.

Am I Responsible if my Child or Tenant Has an Underage Drinking Party When I'm not There?

Yes. You own or control the premises and will be held responsible. **Parents/landlords need to set firm rules and guidelines, and clearly communicate the consequences of breaking these rules.** Doing so will not only ensure that you are within the law, but will also enhance the safety of your children, tenants and other community residents.

What Can I Do To Decrease the Incidence of Underage Drinking and Illegal Drug Use in our Community?

If you have five minutes...

- **Surf the web!** Arm yourself with the facts. Visit socialhostliability.org, jointogether.org, stopalcoholabuse.gov, why21.org, theantidrug.com, camy.org, madd.org.
- **Talk it up!** Share this brochure with Melrose friends, family, neighbors, and colleagues.

If you have one hour...

- **Join Us!** Become involved with the Coalition and its efforts. For more information, contact:

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Special thanks to-

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Melrose Police Chief Michael Lyle

Melrose Health Department

Communities that Care-Lynn

